



Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number:  
P.C. 3/17/03      Item: 3.e.1 and 3.e.2

File Number:  
GP03-03-03/GPT03-03-03

Council District and SNI Area:  
3 – Washington

Major Thoroughfares Map Number:  
99

Assessor's Parcel Number(s):  
434-13-016; 434-13-015

Project Manager: Lesley Xavier

## GENERAL PLAN REPORT

### 2003 Spring Hearing

#### PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Mixed Use (25-150 DU/AC)(Tamien Station Area Planned Community) to Transit Corridor Residential (25+ DU/AC) (Tamien Station Area Planned Community (PC)) and an associated text amendment to reflect the proposed land use change in the Tamien Station Area Specific Plan and to reduce the minimum setback for residential structures along Lick Avenue from 15 feet to 5 feet.

**LOCATION:** North side of Alma Avenue between Lick Avenue and Highway 87.

**ACREAGE:** 3.2

#### APPLICANT/OWNER:

Barry Swenson Builder/Scarpelli and Snyder

#### GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Mixed Use (25-150 DU/AC)

Proposed Designation: Transit Corridor Residential (25+ DU/AC)

**EXISTING ZONING DISTRICT(S):** LI – Light Industrial

#### SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Tamien Station (Light Rail and Caltrain service) – Public/Quasi-Public (Tamien Station Area PC)

South: Multi-family residential – Medium High Density Residential (12-25 DU/AC) (Tamien Station Area PC)

East: Multi-family and single-family residential – Medium High Density Residential (12-25 DU/AC) (Tamien Station Area PC)

West: Railroad and Light Rail tracks and the Highway 87 (Guadalupe Parkway) – Public/Quasi-Public (Tamien Station Area PC)

#### ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration adopted on March 4, 2003

#### PLANNING STAFF RECOMMENDATION:

Transit Corridor Residential (25-150 DU/AC) (Tamien Station Area PC) and adopt the proposed text amendment.

Approved by:

Date:

#### PLANNING COMMISSION RECOMMENDATION:

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**CITY COUNCIL ACTION:**

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**CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:**

- Department of Transportation – No long-term traffic impact.

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**GENERAL CORRESPONDENCE:**

- None received.

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**ANALYSIS AND RECOMMENDATIONS:****PROJECT DESCRIPTION**

This is a privately initiated General Plan amendment to change the *San Jose 2020 General Plan* Land Use/Transportation Diagram designation on a 3.2-acre site (commonly known as Alma Bowl) located on the north side of Alma Avenue between Lick Avenue and Highway 87 from Mixed Use (25-150 DU/AC) (Tamien Station Area Planned Community) to Transit Corridor Residential (25+ DU/AC)(Tamien Station Area Planned Community). There is also an associated text amendment to reflect the proposed land use change in the Tamien Station Area Specific Plan and to reduce the minimum setback for residential structures along Lick Avenue from 15 feet to 5 feet.

The existing Transit Corridor Residential (25-55 DU/AC) land use designation in the Tamien Station Area Specific Plan is intended for high density residential uses and the option for mixed use development oriented to transit. This Specific Plan designation is similar to the Transit Corridor Residential (20+ DU/AC) land use designation as described in the General Plan, with the exception of the density range for the existing designation is 25-55 dwelling units, whereas in the General Plan the minimum is 20 dwelling units with no upper limit. The Tamien Station Area Specific Plan designation has been defined through a community task force process to achieve the objectives of the Specific Plan (i.e., appropriate densities to support transit compatible with the adjacent neighborhood).

The applicant is requesting a modification to the Tamien Station Area Specific Plan Transit Corridor Residential designation to allow densities of 25+ DU/AC on the Alma Bowl site only. Changing the land use designation from Mixed Use would remove the requirement of having commercial uses on the site and the text amendment would decrease the minimum setback requirement along Lick Avenue. The subject site at its Mixed Use designation would allow for approximately 270 dwelling units and a minimum of 5,000 square feet of retail uses. The requested land use designation would allow for approximately the same amount of dwelling units on the subject site.

**BACKGROUND**

The amendment site is also the subject of a pending Planned Development Rezoning (File No. PDC02-072). The proposal is to change the zoning district on the site from Light Industrial (LI) to A(PD) Planned Development to allow multi-family attached residential uses (approximately 260 condominiums and 16 townhomes). The townhomes are proposed to be located along Lick Avenue.

## Site and Surrounding Uses

The Alma Bowling Alley and the Sprig Electric Company office are currently located on the site. Uses surrounding the site include a day care facility and the multi-modal Tamien Station and its surface parking lots to the north, multi-family and single-family residential to the east and to the south, and the Guadalupe Parkway (Highway 87) to the west.

The amendment site is located within the boundaries of the Tamien Station Area Specific Plan. The major features of the Tamien Station Area Specific Plan are incorporated into the *San Jose 2020 General Plan*. According to both Plans, the land use designations surrounding the site include Public/Quasi-Public to the north, Medium High Density Residential (12-25 DU/AC) to the east and south, and Highway 87, Light Rail, Caltrain, Amtrak, and freight tracks to the west.



Looking towards the west along Alma Avenue at the bowling alley.

## Tamien Station Area Specific Plan

The Tamien Station Area Specific Plan was adopted by the City Council in March 1995. The Plan area consists of approximately 140 acres generally bounded by Willow Street, Lick Avenue, Little Orchard Street, and the Union Pacific Railroad tracks and the Guadalupe River. The Tamien Station Area Specific Plan's fundamental purpose is to promote pedestrian activity and transit use through supportive residential and mixed use development. Another objective is to create a combination of land uses that support transit use, create a livable community, provide a variety of housing opportunities, and maintain the positive qualities and characteristics of existing neighborhoods by ensuring that new development is compatible with existing neighborhoods.



Looking towards the west at the bowling alley parking lot along Lick Avenue.

The amendment site is located within the boundaries of the Transit Core Subarea of the Tamien Station Area Specific Plan. The Transit Core Subarea encompasses the Light Rail and Caltrain transit stations that act as the key activity center of the area. The Alma Bowl site was also the subject of a General Plan amendment during the 2001 Annual Review General Plan hearings. The City Council approved the amendment to change the land use designation of the site from Mixed Use (25-65 DU/AC) to Mixed Use (25-150 DU/AC). The City Council also approved an associated text amendment that reflected the proposed General Plan land use changes in the Tamien Station Area Specific Plan and increased the maximum allowable building height on the site up to 45 feet within 100 feet of the property line along Lick Avenue and up to 120 feet for the portion of the site adjacent to Highway 87.

## **ANALYSIS**

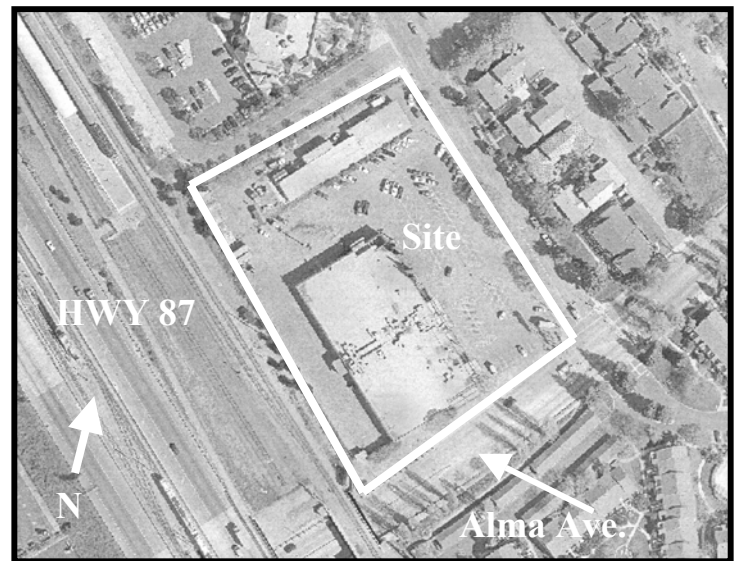
Staff is recommending an alternative to the applicant's request. The applicant's requested land use designation of Transit Corridor Residential (25+ DU/AC) would leave the density range open-ended. There is no reason to leave the upper end of the land use designation undefined because the City Council just recently considered the density on the Alma Bowl site. Therefore, staff is recommending to change the land use designation on the site to Transit Corridor Residential (25-150 DU/AC). The maximum 150 DU/AC reflects the upper range of the existing Mixed Use (25-250 UD/AC) designation for the site.

### **Land Use Compatibility/Policy Consistency**

#### **Land Use Amendment**

The proposed land use designation of Transit Corridor Residential (25+ DU/AC) would allow for either a wholly residential development or a vertical mixed use development with commercial service and/or office uses on the first two floors and high density residential above. The commercial/office uses under this designation are permitted, but not required.

The existing Mixed Use (25-150 DU/AC) land designation requires that the site be developed with both residential and commercial uses. The applicant has requested the Transit Corridor Residential (25+ DU/AC) land use designation in order to eliminate the requirement of providing commercial uses on the site, but still allow the option of commercial uses. Staff's recommendation for Transit Corridor Residential (25-150 DU/AC) would also retain the option for commercial uses.



The Alma Bowl site is the only location within the Tamien Specific Plan area with the Mixed Use designation. Therefore, if this amendment is approved, that designation is eliminated from the Specific Plan.

Wholly residential development on the site would also support the transit use of the adjacent Tamien Station, which is compatible with the objectives of the Tamien Station Area Specific Plan. Mixed use opportunities remain in this Subarea and the Guadalupe River Subarea. These opportunities are located north of the amendment site on the west side of Lick Avenue just south of Goodyear Street and to the southwest of the site on the south side of Alma Avenue between the Guadalupe River and Highway 87. Both of these sites are designated Transit Corridor Residential (25-55 DU/AC), which allows for wholly residential or the option for mixed use development. Through the Public/Quasi-Public land use designation, the Plan allows for commercial development at the Tamien Station, which is adjacent to the site to the north. These commercial uses are to be oriented to transit patrons and area residents. The planned commercial uses at the Tamien Station would adequately serve the neighborhood. Given the reasons mentioned above and the site's proximity to the Willow Street Neighborhood Business District, the immediate area has other retail opportunities.

## **Setback Amendment**

The applicant is also requesting a text amendment to the Tamien Station Area Specific Plan to reduce the minimum setback for residential structures built along Lick Avenue from fifteen to five feet. Currently the Specific Plan's Land Use and Design Policies for the Transit Core Subarea state that residential structures developed along Lick Avenue should maintain a front setback of no less than 15 feet and no more than 25 feet. The applicant is requesting to change the minimum setback requirement from 15 feet to 5 feet. The smaller setback would allow the building orientation on the site to be more pedestrian friendly and it will also give it a strong street presence. This setback request would not only affect the amendment site, but all of the future residential structures along the west side of Lick Avenue as well. The front setback is a range, which allows buildings to have varied setbacks between the minimum and maximum allowance. This means that the building product could have a varied facade. It also provides for the placement of architectural features such as porches and stairs to be located within the setback. These requirements will encourage building articulation and discourage monolithic building facades.

The proposed land use and text amendments are consistent with the Specific Plan's residential land use policies in that they are compatible with the existing land uses and neighborhood character. The amendment site is located within the Transit Core Subarea of the Tamien Station Area Specific Plan, which encourages high density residential development. The site is surrounded on two sides by multi-family residential land uses, which are all compatible uses with the staff recommended Transit Corridor Residential (25-150 DU/AC) land use designation.

## **Conclusion**

Staff's recommended land use change from Mixed Use (25-150 DU/AC) to Transit Corridor Residential (25-150 DU/AC) and the text change to allow the reduction in the front setback along Lick Avenue, is consistent with the vision of the Tamien Station Area Specific Plan because it provides greater flexibility in use and building placement along Lick Avenue. Therefore, staff is recommending to change the land use designation on the site to Transit Corridor Residential (25-150 DU/AC) and to reduce the minimum setback for residential structures along Lick Avenue from 15 feet to 5 feet.

## **Environmental Issues**

The proposed change in the General Plan land use designation on the subject site was analyzed in an initial study that resulted in a Mitigated Negative Declaration. The initial study determined that the change in land use would create a less than significant impact with mitigation measures in the following categories:

- Aesthetics
- Biological Resources
- Cultural Resources
- Geology and soils
- Noise

All of the mitigation measures consist of the implementation of existing General Plan policies at the zoning and development permit stages.

**PUBLIC OUTREACH**

The property owners within the amendment site boundaries and/or property owners within a 1000-foot radius of the amendment site were sent a newsletter regarding the two community meetings that were held on February 24<sup>th</sup> and 26<sup>th</sup> 2002 to discuss the proposed General Plan amendment. They also received a public hearing notice regarding the public hearings to be held on the subject amendment before the Planning Commission in March and City Council in April. In addition, the community can be kept informed about the status of amendments on the Department's web-site, which contains information on the General Plan process, each proposed amendment, staff reports, and hearing schedule.

During the community meetings, residents of the area commented that they had no objections to the land use change or the elimination of the commercial component. They also could see no negative effect of reducing the residential setback along Lick Avenue. This amendment proposal was also presented to the Washington Strong Neighborhoods Initiative (SNI) Neighborhood Advisory Committee (NAC). No comments were received from this meeting.

**RECOMMENDATION**

Planning staff recommends amending the Tamien Station Area Specific Plan and General Plan to designate the subject site Transit Corridor Residential (25-150 DU/AC) (Tamien Station Area Planed Community) and to adopt the proposed text amendment.

## **PROPOSED SAN JOSE 2020 GENERAL PLAN**

### **TEXT AMENDMENT**

Amend Chapter V. Land Use Transportation Diagram; Planned Residential Community/Planned Community; Tamien Station Area Planned Community; Transit Corridor Residential (25-55 DU/AC), page 181 as follows:

**Transit Corridor Residential (25-55 DU/AC; 25-150 DU/AC):** This designation promotes high density residential uses on sites very close to the Tamien Multi-Modal Station and is intended to encourage transit use. New residential development on land designated Transit Corridor Residential should occur within a density range of 25-55 DU/AC, except on the site located at the northwest corner of Alma Avenue and Lick Avenue (commonly known as the Alma Bowl site) where the density range should be 25-150 DU/AC. An average density of 35 DU/AC is strongly encouraged under this designation which also allows a small amount of commercial and/or office use on the first two floors of a high density residential project. Freestanding commercial kiosks near the Caltrain station are also permitted under this designation. Drive through uses are prohibited.

The typical maximum height allowed under this designation is 65 feet, however, the portion of the Santa Clara County Transportation Agency (SCCTA) site with this designation (roughly, the southwest corner of Lick Avenue and Goodyear Street) must utilize "staggered" height limits. This "staggered" height limit would

start at 25 feet within 25 feet of a single family property and would gradually increase to 65 feet toward the center of the site to ensure that the mass of the structure does not overwhelm the adjacent neighborhood. Limited building elements with a maximum height of 90 feet may be allowed in conformance with the criteria established in the Tamien Station Area Specific Plan (TSASP).

The Elks Club site (southwest corner of Alma Avenue and Route 87) is separated from its surroundings by Route 87 to the east, the Union Pacific Railroad to the south, and the Guadalupe River (and the future flood control bypass channel) to the west. These buffers, in combination with required setbacks and a staggered height limit of 45 feet on the west side of the site and 120 feet on the 1.7 acre northeast corner of the site should minimize the potential impact of new development which may otherwise have a maximum height of 65 feet.

The Alma Bowl/Sprig Electric site (northwest corner of Alma Avenue and Lick Avenue) has a height limit of 45 feet within 100 feet of Lick Avenue and 120 feet on the remainder of the site.

**PROPOSED SAN JOSE 2020 GENERAL PLAN**  
**TEXT AMENDMENT CONTINUED**

Amend Chapter V. Land Use Transportation Diagram; Planned Residential Community; Tamien Station Area Planned Community; page 181-182 as follows:

~~**Mixed Use:** This designation allows for a combination of high density residential and commercial uses in a vertical configuration (residential above commercial and/or parking). The allowed residential density range is 25-150 DU/AC but an average density of 35 DU/AC is strongly encouraged along the Lick Avenue frontage. Between 5,000 to 20,000 square feet of commercial use are allowed under this designation to serve both residents and transit patrons with an emphasis on neighborhood serving retail, service, and/or office use. Drive through uses are not allowed.~~

~~This designation applies to the Alma Bowl/Sprig Electric site which is adjacent to the Tamien Multi-Modal Station. It is designated Mixed Use to take full advantage of this proximity and to maximize development opportunities. Mixed Use development will be separated from existing single-family neighborhoods by new, smaller scale high density development and separated from existing high density residential development by Alma and Lick Avenues.~~



## **PROPOSED TAMIEN STATION AREA SPECIFIC PLAN** **TEXT AMENDMENT**

Amend the Tamien Station Area Specific Plan; Land Use Plan and Land Use Designations; #1 Transit Corridor Residential, page 19 as follows:

1. **Transit Corridor Residential: 25-55 Dwelling Units Per Acre (DU/AC); 25-150 DU/AC**

This land use designation is intended for high and very high density residential uses on lands close to the Tamien Light Rail Transit and Caltrain Stations. Residential development under this designation is expected to be oriented to transit and to encourage transit use. This designation is consistent with the urban form of the Transit Corridor Residential (TCR) land use designation described in the General Plan. This category applies to sites located within 2,000 feet of passenger rail stations in areas where intense development exists or is expected to exist. Development may be wholly residential or may be vertical mixed use with commercial service and/or office uses on the first two floors and high density residential above. The density range for this designation is 25-55 DU/AC, except the Alma Bowl/Sprig Electric site where the density range is 25-150 DU/AC. ~~however, this Plan strongly encourages an average density of at least 35 DU/AC for each of the two major all sites with this designation to take full advantage of the close proximity of these sites to the transit stations. Drive through uses are prohibited.~~

Amend the Tamien Station Area Specific Plan; Land Use Plan and Land Use Designations; #5 Mixed Use, page 21-22 as follows:

4. ~~**Mixed Use.** This land use designation allows a combination of high density residential and commercial uses in a vertical configuration (residential above commercial and/or parking). Industrial uses are not permitted under this designation. Parking components can be private or public.~~

~~Sites with this designation should be developed primarily in high density residential use within 25-55 DU/AC density range similar to the Transit Corridor Residential (TCR) designation. As in the TCR designation, this Plan strongly encourages an average density of at least 35 DU/AC on the major site designated for Mixed Use. Commercial uses should also be provided under this designation to serve on-site residents as well as residents in nearby neighborhoods and transit patrons. Allowed commercial uses are neighborhood serving retail, service and/or office uses to provide goods and services for residents, transit riders, and others. Allowed commercial uses may also include community serving uses, such as day care and telecommuting facilities. Commercial uses should not be contained in freestanding buildings but may be located on the first two floors of a vertical mixed use building. Drive-through uses are prohibited.~~

Amend the Tamien Station Area Specific Plan; Land Use and Design Policies; Transit Core Subarea; Residential Development, page 25 as follows:

**Residential Development.** There are two major opportunities for high density residential development or redevelopment in this subarea. The Santa Clara County Transportation Agency (SCCTA) parcel (about 9.5 acres) is located south of Goodyear Street between Lick Avenue and State Route 87. The northernmost 6 acres of this parcel are vacant. The remainder is used for the Caltrain parking lot. A children's day care facility ~~will be~~ has been constructed on a 0.7 acres portion of the southeasterly corner of the parking lot to serve transit patrons and local residents.

Amend the Tamien Station Area Specific Plan; Land Use and Design Policies; Transit Core Subarea; Vertical Mixed Use Commercial, page 25 as follows:

**Vertical Mixed Use Commercial.** In addition to the high density residential described above, the ~~mixed-use~~ Transit Corridor Residential designation of the Alma Bowl/Sprig Electric site allows commercial uses in a vertical mixed use configuration. In the Transit Core Subarea, neighborhood serving commercial uses will be an important component of vertical mixed use development.

Amend the Tamien Station Area Specific Plan; Land Use and Design Policies; Transit Core Subarea; Land Use Policies; #2 Transit Corridor Residential, page 26 as follows:

2. **Transit Corridor Residential.** New residential development on land designated Transit Corridor Residential should occur within a density range of 25-55 DU/AC, except on the site located at the northwest corner of Alma Avenue and Lick Avenue (commonly known as the Alma Bowl site) where the density range should occur within 25-150 DU/AC. An average density of 35 DU/AC is strongly encouraged. A small amount (no more than 5,000 square feet) of neighborhood serving commercial space may be located on the two lowest floors.

Amend the Tamien Station Area Specific Plan; Land Use and Design Policies; Transit Core Subarea; Land Use Policies; #4 Mixed Use, page 26 as follows:

4. ~~**Mixed Use.** Those areas designated for mixed use should be developed with a combination of high density residential, commercial, office and/or parking uses in a vertical mixed use configuration (e.g., residential above commercial). Residential densities should range between 25-55 DU/AC. An average density of 35 DU/AC is strongly encouraged. To ensure that adequate commercial uses are available to serve the vicinity, a minimum of 5,000 square feet of neighborhood serving commercial space should be provided on the Alma Bowl/Sprig Electric site. A maximum of 20,000 square feet of commercial space is allowed for the area designated mixed use.~~

Amend the Tamien Station Area Specific Plan; Land Use and Design Policies; Transit Core Subarea; Design Policies; Setbacks and Buffers; #16 Residential Setback From Lick and Alma Avenue, page 31 as follows:

16. **Residential Setback From Lick and Alma Avenue.** Residential structures developed along Lick Avenue should maintain a setback of no less than ~~15~~ 5 feet and no more than 25 feet. At no point should a building have a continuous setback area. Residential structures developed along Alma Avenue should maintain a setback between 5 feet and 20 feet from the top of slope of the adjacent right-of-way. To facilitate the preferred building articulation, porches, decks, and stairways may encroach into this setback up to a maximum of 60% of the total setback area, when the front setback is at least 10 feet from the property line. Building faces that are only setback 5 feet from the front property line may not have building features encroach into the setback area. Setback areas should be well landscaped with low hedges, trees, and flowering shrubs that create diversity and interest along the street.